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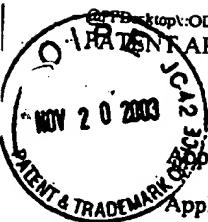
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sean A. McCarthy, Douglas A. Holtzman and Andrew D.J. Goodearl

Application No.: 09/803,589

Group: 1646

Filed: March 9, 2001

Examiner: Eileen B. O'Hara, Ph.D.

Confirmation No.: 6829

For: NOVEL GENES ENCODING PROTEINS HAVING PROGNOSTIC, DIAGNOSTIC,
PREVENTIVE, THERAPEUTIC AND OTHER USESDate: November 20, 2003EXPRESS MAIL LABEL NO. EV 215729034 US

RECEIVED

DEC 24 2003

TECH CENTER 1600/2900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner for Patents to extend the time for filing a Reply to the Office Action dated May 20, 2003 for three months from August 20, 2003 to November 20, 2003 under 37 C.F.R. § 1.136(a).

In lieu of filing a Reply to the Office Action, a continuation application is being filed concurrently herewith.

| | <u>Small Entity</u> | <u>Other than Small Entity</u> |
|------------|---------------------|------------------------------------|
| 1 month - | \$ 55 | \$ 110 |
| 2 months - | \$ 210 | \$ 420 |
| 3 months - | \$ 475 | X \$ 950 |
| 4 months - | \$ 740 | \$1,480 |
| 5 months - | \$1,005 | \$2,010 |

A check is enclosed in the amount of the extension fee indicated above, or the extension fee has been included in the check with the accompanying Reply.

Please charge Deposit Account No. 08-0380 in the amount of \$[] to cover the cost of the extension fee.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood
Robert H. Underwood
Registration No. 45,170
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: November 20, 2003

Adjustment date: 03/31/2004 SDIRETAK
01/21/2004 LPENDER 00000005 080380 09803589
01 FC:1253 950.00 CR



THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 MAR 16 PM 2:11

Applicant:

Sean A. McCarthy, Douglas A. Holtzman and Andrew D.J. Goodearl

Application No.:

09/803,589

Group Art Unit: 1646

Filed:

March 9, 2001

Examiner: Eileen B. O'Hara, Ph.D.

Confirmation No.:

6829

Title:

NOVEL GENES ENCODING PROTEINS HAVING PROGNOSTIC,
DIAGNOSTIC, PREVENTIVE, THERAPEUTIC AND OTHER USES

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| 3-9-04 | Sandra J. Jammal |
| Date | Signature |
| Sandra J. Jammal | |
| Typed or printed name of person signing certificate | |

REQUEST FOR REIMBURSEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant's Attorney is in receipt of a Monthly Statement of Deposit Account, dated January 30, 2004, for Deposit Account No. 08-0380, indicating a charge to said account in the amount of \$950.00 for a three-month extension of time in the above-referenced application. As explained below, this charge appears to be in error.

09/803,589

STATUS AND ENTITY
BRANCH

-2-

2004 MAR 16 PM 2:11

An Office Action issued in the subject application on May 20, 2003, setting a three-month shortened statutory period for reply. On November 20, 2003, Applicant filed a Petition for Extension of Time (3 months) and the required fee of \$950.00 in the form of a check by Express Mail. A copy of the Petition for Extension of Time, which was properly directed to the subject application, is attached as Exhibit A. In addition, a copy of the canceled check, dated November 20, 2003, bearing the Application Number 09/803,589 and Docket Number of the subject application (1855.2058-000), is enclosed herewith as Exhibit B, as evidence of payment of the fee for a three-month extension of time.

In lieu of filing a reply, Continuation Application No. 10/718,332 was filed with a check for \$1076.00 in payment of the applicable fees (\$770.00 for the basic filing fee; and \$306.00 for excess claims). A copy of the canceled check, dated November 20, 2003, bearing the Docket Number of Continuation Application No. 10/718,332 (1855.2058-001), is enclosed herewith as Exhibit C.

In view of the above, it appears that all fees were properly paid by check, including the required extension of time. Applicant's Attorney respectfully requests a reimbursement of \$950.00, to be deposited in Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Helen E. Wendl
Helen E. Wendl
Registration No. 37,964
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *March 9, 2004*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE STATUS AND ENTITY
BRANCH

Applicant: Sean A. McCarthy, Douglas A. Holtzman and Andrew D.J. Goodearl

Group: 1646

2004 MAR 16 PM 2:11

Application No.: 09/803,589

Eileen B. O'Hara, Ph.D.

Filed: March 9, 2001

Confirmation No.: 6829

Examiner:

For: NOVEL GENES ENCODING PROTEINS HAVING PROGNOSTIC, DIAGNOSTIC,
PREVENTIVE, THERAPEUTIC AND OTHER USES



Date: November 20, 2003

EXPRESS MAIL LABEL NO. EV 215729034 US

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner for Patents to extend the time for filing a Reply to the Office Action dated May 20, 2003 for three months from August 20, 2003 to November 20, 2003 under 37 C.F.R. § 1.136(a).

In lieu of filing a Reply to the Office Action, a continuation application is being filed concurrently herewith.

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[X] A check is enclosed in the amount of the extension fee indicated above, or the extension fee has been included in the check with the accompanying Reply.

[] Please charge Deposit Account No. 08-0380 in the amount of \$ [] to cover the cost of the extension fee.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood
Robert H. Underwood
Registration No. 45,170
Telephone (978) 341-0036
Facsimile (978) 341-0136

EXHIBIT

A

Concord, Massachusetts 01742-9133

Dated: November 20, 2003



**STATUS AND ENTITY
BRANCH**

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133

P.O. BOX 9133
CONCORD, MA 01742

| HAMILTON, BROOK, SMITH & REYNOLDS, P.C. | | EXPLANATION | |
|-----------------------------------------|--|-----------------|--|
| 530 VIRGINIA ROAD | | 1855-0056-000 | |
| P.O. BOX 9142 | | 5-2017 | |
| CONCORD, MA 01742 | | 210 | |
| DATE | | DOLLARS | |
| PAY AMOUNT OF | | CHECK NUMBER | |
| TO THE ORDER OF | | CHECK AMOUNT | |
| 11/03/03 | | 51408 \$ 950.00 | |
| Commissioner of Patents and Trademarks | | 091803-289 | |
| 11/03/03 | | 51408 \$ 950.00 | |
| Commissioner of Patents and Trademarks | | 091803-289 | |

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BRANCH

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Commissioner of Patents and Trademarks

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200 VIRGINIA ROAD
SIX, SMITH & REE

EXHIBIT

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HOUSE NAME

SIGN BELOW THIS LINE **INSTUTION USE**

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